**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**SIDE JURISDICTION**
**CRIMINAL APPLICATION NO.1870 OF 2006**

Gautam Vasant Thakur ...Applicant.
V/s.
The State of Maharashtra ...Respondent.

Ms.Shraddha Mohite, adv. appointed for the Applicant.
Mr.Y.S.Shinde, APP for the Respondent/State.

**CORAM: J.H.BHATIA, J.**
**DATE : 29th March, 2007.**

**P.C.:**

1. Heard Ms.Shraddha Mohite, advocate appointed for the applicant and Mr.Shinde, the learned APP for the State.

2. The present applicant was arrested in crime no.138 of 2003 by Vakola Police Station for the offences punishable under Sections 395 read with Section 397 and 452 of the I.P.C. All the accused persons were granted bail. Even the present applicant was granted bail in the sum of Rs.15,000/- with one or two sureties in the like amount as per the order dated 14-1-2005 passed by the Sessions Court. However it appears that he could not furnish the bail and therefore, he continued to be in jail. On 18-2-2006 he submitted this application from the jail making a prayer that he may be released on cash security because he was unable to get surety in the

like amount. It appears that the said application was not even listed on the board till 13-11-2006. On 21st December, 2006 report was called from the Sessions Court and as per the report on 8th February, 2007 the trial was almost completed. Examination of 16 witnesses was over and the last witness, being the I.O., was called on 13-2-2007 for further evidence. The learned Judge informed that the case was likely to be disposed off by the end of February or March, 2007. Mr.Shinde, the learned APP, on information, states that the trial is already completed and the matter is fixed tomorrow for final arguments.

3. In view of the present stage of trial, I find that it will not be desirable to release the accused on cash security particularly when, he was unable to furnish any surety.

4. Application stands rejected.

**(J.H.Bhatia,J.)**